



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.4023 of 2017

Vengadesah

: Petitioner

Vs.

1.State rep. by,
The Deputy Superintendent of Police,
Orathanadu (Sub-Division),
Thanjavur District.

2.Sub Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.132 of 2017).

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the learned First Additional District Judge (PCR), Thanjavur, Thanjavur District to accept the surrender of the petitioner and consider the bail application on merits on the date of surrender in Crime No.132 of 2017 on the file of the second respondent police on the very same day.

For Petitioner : Mr.M.Pitchai Muthu
For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned First Additional District Judge (PCR), Thanjavur, Thanjavur District, to accept the surrender of the petitioner and consider the bail application on merits on the same day of his surrender, in Crime No.132 of 2017 pending on the file of the respondent police.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offences under Sections 341, 294(b), 186, 189 and 506(ii) of the Indian Penal Code r/w Sections 3(1)(r), 3(1)(a) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, and that in view of the specific bar under Section 18 of the said Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.



3. The learned Government Advocate (Criminal side) takes notice for the respondents.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case, in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the petitioner is directed to surrender before the learned First Additional District Judge (PCR), Thanjavur, Thanjavur District, in respect of Crime No.132 of 2017 on the file of the respondent police, within two weeks from the date of receipt of a copy of this order and on the petitioner's surrender and filing bail application in Crime No.132 of 2017, the learned First Additional District Judge (PCR), Thanjavur, Thanjavur District, in turn, is directed to accept his surrender and consider his bail application on merits and in accordance with law on the same day.

5. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The First Additional District Judge (PCR),
Thanjavur, Thanjavur District.
- 2.The Deputy Superintendent of Police,
Orathanadu (Sub-Division),
Thanjavur District.
- 3.Sub-The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.M.Pitchaimuthu, Advocate, SR.No. 50855

Order made in
Cr1.O.P.(MD) No.4023 of 2017

Dated: 06.04.2017